

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

vs

RICHARD CRUZ-BATISTA

Defendant

CRIMINAL 12-0328CCC

**ORDER**

Having considered the Report and Recommendation filed on July 31, 2012 (**docket entry 26**) on a Rule 11 proceeding of defendant Richard Cruz-Batista held before U.S. Magistrate Judge Marcos E. López on July 31, 2012, to which no objection has been filed, the same is APPROVED. Accordingly, the plea of guilty of defendant is accepted. The Court FINDS that his plea was voluntary and intelligently entered with awareness of his rights and the consequences of pleading guilty and contains all elements of the offense charged in the indictment.

This case was referred to the U.S. Probation Office for preparation of a Presentence Investigation Report since July 31, 2012. The **sentencing hearing is set for November 1, 2012 at 4:15 PM.**

SO ORDERED.

At San Juan, Puerto Rico, on August 17, 2012.

S/CARMEN CONSUELO CEREZO  
United States District Judge